

Appl. No. 10/603,380
Amdt. dated February 22, 2005
Reply to Final Office Action of December 20, 2004

REMARKS

Favorable reconsideration of the subject application is respectfully requested in view of the above amendments and the following remarks. Claims 1, 2, 4-12, 14, 15, and 17-22 are pending in the subject application, with currently amended Claim 1, newly added Claims 21 and 22 being in independent format. This Amendment and Reply is being filed within two months from the mailing date of the Final Office Action mailed December 20, 2004.

Applicant notes that his argument with respect to Claims 1-5, 14, 15, and 19, presented in the Amendment and Reply to Office Action dated November 22, 2004, have been considered and that the Examiner states that the arguments are moot. Applicant also notes that the objection to the abstract, the rejections to Claims 1-5, 14, 14, and 19 under 35 U.S.C. §102(b), and the rejections to Claim 20 under 35 U.S.C. §103 as indicated in the prior Office Action mailed May 20, 2004 have been withdrawn. In addition, applicant notes that the indication of allowable subject matter in the prior Office Action is withdrawn.

Claim 3 has been canceled because its subject matter has been incorporated in amended Claim 1. Claim 1 has been amended to recite: "A device for securing and adjusting laces....said at least one central aperture comprising at least four sides and forming at least two wedge angles facing each lateral aperture, wherein said at least two lateral apertures and said at least one central aperture are aligned on a longitudinal axis." Support for the amendment can be found in Claim 3, as originally filed, on page 3, lines 21-23, page 5, lines 10-11, and page 7, lines 25-34 of the specification as originally filed. This feature of applicant's claimed invention is also clearly illustrated in Figures 1A, 4A, and 4B as originally filed.

Claims 13 and 16 have been canceled. Newly added independent Claims 21 and 22 are drawn to subject matter previously recited in canceled Claims 13 and 16, respectively, and include all of the limitations of previously amended Claim 1. Claim 17 has been amended to depend from newly added independent Claim 22.

It is urged that support for all the above amendments may be found throughout the specification as originally filed and that none of the amendments constitute new matter. It is also urged that this amendment is appropriate after final rejection.

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Claim Rejections – 35 U.S.C. §102(b)

Claims 1-12, 14, 15, 19, and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by *Wilson et al.* (U.S. Patent No. 441,732). This rejection is respectfully traversed, particularly in view of the above amendments and the following remarks.

The Examiner alleges that *Wilson et al.* discloses a device (see Fig. 4 of *Wilson et al.*) comprising: a body (frame *h* as disclosed by *Wilson et al.*) having a top surface, a bottom surface, and a perimeter, wherein the body is provided with at least two apertures (*h'* as disclosed by *Wilson et al.*) positioned "laterally" on opposite sides of a center of the body, wherein the body further being provided with at least one aperture (*h*² as disclosed by *Wilson et al.*) positioned near the center of the body, and wherein the at least one central aperture comprising at least four sides and forming at least two wedge angles facing each lateral aperture.

Applicant respectfully submits that *Wilson et al.* fails to disclose each element of currently amended Claim 1. Therefore, none of Claims 1, 2, 4-12, 14, 15, 19, and 20 are anticipated by *Wilson et al.*

Claim 1 of the subject application, as currently amended, recites "a device for securing and adjusting laces, cords, and strings... said at least one central aperture comprising at least four sides and forming at least two wedge angles facing each lateral aperture, wherein said at least two lateral apertures and said at least one central aperture are aligned on a longitudinal axis."

Wilson et al. discloses a halter having a frame (*h*). Frame (*h*) is provided with an upper loop (*h*²), inclined loops (*h'*), and inclined bars (*h*³). In contrast to the presently claimed lace securing and adjusting device, *Wilson et al.* does not teach or suggest two wedge angles of a central aperture facing two lateral apertures. Also, *Wilson et al.* does not teach or suggest two lateral apertures and a central aperture aligned on a longitudinal axis. As shown in Figure 1A as originally filed, the wedge angles 22, 22' of the inventive lace securing and adjusting device face lateral apertures 14, 14'. The wedge angles 22, 22' provide an operational "wedged" effect to secure and tighten laces that are extended through central aperture 11 of the inventive device. Currently amended Claim 1 ("...wherein said at least two lateral apertures and said at least one central aperture are aligned on a longitudinal axis.") clarifies the fact that the wedge angles of the central aperture face the lateral apertures. Since the wedge angles of the central aperture face the lateral apertures, the central aperture and the lateral apertures are aligned on a longitudinal axis. As shown in Figures 4A and 4B as originally filed, applicant's inventive lace securing and

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adjusting device is provided with two lateral apertures (104, 104' in Fig. 4A; 126, 126' in Fig. 4B) and a central aperture (106 in Fig. 4A; 128 in Fig. 4B), and the lateral apertures and the central aperture are aligned on a longitudinal axis (102 in Fig. 4A; 124 in Fig. 4B). According to Figure 4 of *Wilson et al.*, upper loop (h^2) is provided with two angles opposite each other on a horizontal axis. However, contrary to applicant's claimed device, these two angles do not face inclined loops (h^1). Also, unlike applicant's claimed device, upper loop (h^2) and inclined loops (h^1) disclosed by *Wilson et al.* are not inline with one another and therefore are not aligned on a longitudinal axis. *Wilson et al.* therefore does not disclose each element of the claimed invention and does not anticipate amended Claim 1.

It is therefore urged that Claims 1, 2, 4-12, 14, 15, 19, and 20 are not anticipated by *Wilson et al.*, and that the present rejection of the claims under 35 U.S.C. §102(b) may thus be properly withdrawn.

Allowable Subject Matter


Applicant notes that the Examiner pointed out in the Office Action that Claims 13, and 16-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form and including all of the limitations of the base and intervening claims.

Claims 13 and 16 have been canceled and rewritten as independent Claims 21 and 22. Claims 21 and 22 are therefore allowable.

Conclusion

In view of the above amendments and remarks, applicant believes that all of the Examiner's concerns have been addressed. Early reconsideration and allowance of Claims 1, 2, 4-12, 14, 15, and 17-22 is respectfully requested.

Respectfully submitted,


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